

REMARKS

Claims 103-116 are now pending in the above-referenced patent application. Applicants respectfully request further consideration of these claims, in view of the amendments set forth above and the following remarks.

Acknowledgement

Applicants acknowledge that the Office action does not maintain the rejection under 35 U.S.C. § 102(e).

Rejections Under 35 U.S.C. § 112

The Office action rejects claims 103-116 under 35 U.S.C. § 112 as being indefinite.

Applicants respectfully traverse this rejection.

The Office action indicates that claim 103 is indefinite for allegedly omitting essential steps, specifically the optional annealing step.

Applicants respectfully disagree that the annealing step is essential. The Specification as filed states, “[t]he foamed graft is then annealed and reticulated, where needed, to effect an open-cell structure.” At page 14, lines 25-56 (emphasis added). Annealing the structure is an optional step in the process and not required in every instance. There is no indication in the Specification or in the art that supports the notion that the annealing step is essential in every instance of the claimed method. The Office action does not set forth *any* analysis or *explanation* as to why the Examiner considers the optional annealing step is essential.

In order to eliminate any possible confusion, Applicants have removed the optional annealing language from claim 103. Claim 116, which depends on and incorporates all of the limitations of independent claim 103, requires the additional annealing step.

For at least this reason, Applicants request the rejection be withdrawn.

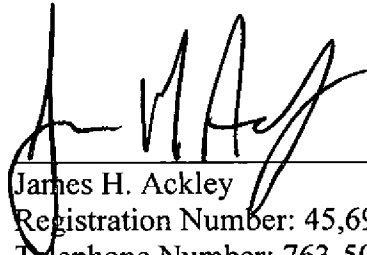
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Applicants believe that no further fees are required in connection with the instant amendment. If necessary, however, the Examiner is hereby authorized to charge any fees required in connection with this application to Deposit Account No. 13-2546.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "J. H. Ackley", written over a horizontal line.

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